

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

I declare that I am employed in Contra Costa County, California, I am over eighteen years old, and I am not a party to the within action, and that my business address is 1990 N. California Blvd., Suite 650, Walnut Creek, California 94596. On this date, I served the following document(s): NOTICE OF DEFENDANT'S MOTION FOR DISMISSAL; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANT'S MOTION FOR DISMISSAL FRCP Section 41(b); DECLARATION OF STEPHEN THOMAS DAVENPORT, JR. IN SUPPORT OF DEFENDANT'S MOTION FOR DISMISSAL; and DECLARATION OF NEIL M. GERSTNER IN SUPPORT OF DEFENDANT'S MOTION FOR DISMISSAL

on the persons shown below by placing true copies thereof in sealed envelopes addressed as shown below, by the following means of service:

☐ By First-Class Mail – I am familiar with the firm's practice for collecting and processing correspondence for mailing. Under that practice, the correspondence is deposited with the United States Postal Service on the same day as collected, with first-class postage thereon fully prepaid, in Walnut Creek, California, for mailing to the office of the addressee following ordinary business practices.

☐ By Personal Service – I caused each such envelope to be given to a courier messenger for personal delivery to the addressee.

☒ By Overnight Courier – I caused each such envelope to be given to an overnight mail service at Walnut Creek, California, for delivery to the addressee on the next business day.

☐ By Fax – I caused each such document to be transmitted by facsimile transmission from fax machine telephone number (925) 932-1961, before 5:00 p.m., to the parties and fax numbers listed below. I declare that the transmitting fax machine reported that the transmission was complete and without error, and properly issued a transmission report, a copy of which is attached to this Proof of Service.

Mr. Gregory Chambers
3942 Desoto Street
Jackson, MS 39206

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed in Walnut Creek, California.

/s/

Dated: March 19, 2008.

NEIL GERSTNER